

**Division of Environmental Health
Solid Waste Program
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June 26, 2001

CERTIFIED MAIL - RETURN RECEIPT REQUESTED NO. 7000-0520-0025-2109-5228

Mr. Jim Tuttle
Klukwan Inc.
1621 Tongass Ave., Suite 302
Ketchikan, Alaska 99901

RE: Solid Waste Permit # 0113-BA001

Dear Mr. Tuttle:

The Department of Environmental Conservation has completed its evaluation of your permit application dated April 4, 2000 to dispose of approximately 1,500 cubic yards of small sized woodwaste per year for a total of 5 years the facility is expected to operate. This 3.2 acre disposal site is on Klukwan Inc. owned land on Long Island approximately 20 miles south of Hydaburg, Alaska off Kaigani Strait. The Department is issuing this permit in accordance with AS 46, 18 AAC 14, and 18 AAC 60. Please review the conditions and stipulations in the permit and ensure they are all understood. This permit is effective upon issuance and expires June 26, 2006.

Any person who disagrees with this decision may appeal by requesting an adjudicatory hearing, using the procedures contained in 18 AAC 15.200-310. Hearing requests must be delivered to the Commissioner of the Department of Environmental Conservation, 555 Cordova, Anchorage, Alaska 99501, within 30 days of receipt of this letter. If a hearing is not requested within 30 days, the right to appeal is waived. Even if an adjudicatory hearing has been requested and granted, all permit conditions remain in full force and effect.

Sincerely,

Heather T. Stockard
Solid Waste Program Manager

HTS/GM/tmh (g:\eh\eh-solid waste\permits\juneau permits\long island\0113-BA001.doc)

Enclosure: Permit #0113-BA001

**ALASKA DEPARTMENT
OF
ENVIRONMENTAL CONSERVATION
DIVISION OF ENVIRONMENTAL HEALTH
410 WILLOUGHBY AVENUE
JUNEAU, ALASKA 99801**

SOLID WASTE DISPOSAL PERMIT

Klukwan Inc.
Permit: 0013-BA001

Page 2 of 11
Date: June 26, 2001

This Solid Waste Disposal Permit is issued to the Klukwan Inc., 1621 Tongass Ave., Suite 302, Ketchikan, Alaska 99901 for the disposal of 1,500 cubic yards of small sized woodwaste per year for a total of 5 years the facility is expected to operate. This is a 3.2 acre disposal site located on Long Island approximately 20 miles south of Hydaburg, Alaska off Kaigani Straight, Section 30, T.80S., R.84E., CRM. The facility will be operated for about 5 years. This permit is subject to the conditions and stipulations contained in the following Appendices:

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This permit is issued under the provisions of Alaska Statute 46.03 and the Alaska Administrative Code, as amended or revised, and other applicable state laws and regulations.

Disposal of waste other than that specified in Appendix A, Section II,A of this permit is prohibited and is considered a violation of Alaska Administrative Code. Other types of waste disposal may be requested by the permittee, but must be authorized by approval, permit modification or a permit amendment.

This permit allows for disposal of up to 7,500 cubic yards of waste to occur only within boundary on the drawings in the application submitted April 4, 2000. Disposal of any waste outside the permitted boundary would be considered an expansion and would require a modification to the permit before additional waste could be placed.

The solid waste program believes that surface water monitoring is the most practical cost-effective way to detect releases from this disposal facility. Monitoring under Appendix B of this permit is required in the case leachate is observed to leave the facility.

Groundwater monitoring as required by 18 AAC 60.820 - 18 AAC 60.860 is waived for this landfill. Based on the discussion in the permit application, the Department believes it is unlikely that an aquifer of

resource value exists in an area that could be affected by this landfill. In addition, the landfill is very small. If the site operator complies with the proposed operations plan the landfill is not expected to generate significant quantities of leachate.

This permit is effective upon issuance and expires June 26, 2006. It may be terminated or modified in accordance with AS 46.03.120.

Heather T. Stockard
Solid Waste Program Manager

APPLICATION COMPLIANCE

- I. Operation of this facility is subject to the design and plans submitted in the application dated April 4, 2000, the conditions contained in the permit, and the solid waste regulations 18 AAC 60. If there is a conflict between the permit application and this permit, then this permit shall take precedence. A modification to this permit may be requested but must be authorized by the Solid Waste Program Manager before that modification is effective.
- II. Upon any change in land ownership, the permittee shall submit a copy of the deed or another legal document that identifies the landowner and a copy of any lease agreement that is clearly relevant to the waste disposal activity; or, a written statement signed by the landowner, showing that the landowner consents to the proposed activity.

APPENDIX A - SITE DEVELOPMENT & OPERATIONS

I. LANDFILL SITE DEVELOPMENT

The permit holder shall:

- A. Construct the landfill according to the plans in the permit application dated April 4, 2000. Future modifications to the plan must be authorized by a permit amendment, before that modification is effective.

II. WASTE DISPOSAL OPERATION

The permit holder shall:

- A. Dispose only mud, rock, bark, and small wood wastes. At least 95% of the total fill volume shall have wastes measuring less than 1 cubic foot in size. Up to 5% of the total fill volume can include wastes measuring up to 5 cubic feet in size. There shall be no disposal of wastes larger than 5 cubic feet in size,
- B. Manage the facility to prevent spontaneous combustion hazard,
- C. Control leachate and any surface water run-off from the site and ensure that it does not cause a violation of 18 AAC 70 water quality regulations,
- D. Begin surface water monitoring and take necessary corrective action to maintain water quality standard in off site waters if leachate is observed to migrate beyond the facility boundary at any time during the operation of the facility or during the post-closure

period. A report of corrective action taken shall be submitted to the Department. The fill shall undergo closure if water quality standard cannot be met beyond the facility boundary,

- E. Divert all surface run-on water from the disposal facility,
- F. Ensure waste is deposited only in approved locations according to plan submitted April 4, 2000,
- G. Ensure that solid wastes are not placed in water,
- H. Ensure that solid waste is not washed away from the facility,
- I. Grade and compact the woodwastes so the top and slopes of the fill are compacted and stabilized at no greater than a 3(H):1(V) slope in order to prevent sloughing and erosion,
- J. Grade the facility so that water will run off rather than pool and sink into the fill,
- K. Not exceed a total depth of 22 feet of waste in the facility,
- L. cover the facility with a layer of compacted dirt or rock at least 6 inches in depth at the end of each operational season, and,
- M. Close the facility according to the closure plan in the application submitted April 4, 2000 and in Appendix A, Section IV of this permit.

III. PROHIBITIONS AND SPECIAL RESTRICTIONS

The permit holder shall:

- A. Prohibit the disposal of municipal solid waste, radioactive material, explosives, oil, solvents, strong acids, pathogenic waste, and other waste defined as hazardous under 18 AAC 60.020 and 40 CFR Part 261 at the facility.

IV. CLOSURE/POST CLOSURE STANDARDS

- A. Closure

The permittee shall provide closure to any disposal area that has been filled to the final design elevation as follows:

1. Consolidate, compact and cover all deposited solid waste with a minimum of 24 inches or another thickness approved by the department of soil the last 6 inches of which is capable of being revegetated to the final design elevation,
2. Provide closure cover and grade to no less than 2% at the upper surfaces when woodwastes in a part of the facility reach final elevation,
3. Compact and grade all side slopes no steeper than 3(H):1(V),
4. Compact and grade all upper surfaces so that water will not pond or create erosion, and,
5. Revegetated all exterior surfaces with a short rooted native grass species within the first growing season after closure.

B. Post-Closure Care

1. The permittee shall provide an acceptable written post-closure care plan within 180 days prior to closure of any part of the landfill.

APPENDIX B - MONITORING AND CORRECTIVE ACTION

I. VISUAL MONITORING REQUIREMENTS

The permit holder shall:

- A. Ensure that at least one person who is familiar with the requirements of this permit, permit application, and with the applicable requirements of the state solid waste management regulations (18 AAC 60), conducts a visual inspection of the facility at least once per month according to the application submitted April 4, 2000. Any violations found during those inspections shall be reported to the permittee and the department, and appropriate corrective action taken.
- B. Maintain a written record of all visual monitoring inspections and any corrective actions taken, and make those records available to the department upon request.

II. SURFACE WATER MONITORING REQUIREMENTS

- A. Surface water shall be sampled on a schedule that is approved by the Department. The permittee shall within one week sample and analyze all seeps of any contact water found during visual monitoring where the seeps migrate beyond the leachate collection system and before the facility boundary. Also, the permittee shall collect a sample that is representative of background conditions at that time. Surface water must be sampled at the place where the highest concentration of hazardous constituents migrating off the facility will be detected, so that interference from sources of pollution unrelated to the facility's solid waste management operations will be minimized.
- B. All water monitoring shall be conducted in accordance with approved QA/QC procedures. Test procedures for the analysis of water samples shall conform to the parameters, methods and procedures 18 AAC 60.820-860.
- C. The methods and reporting limits specified in Appendix B, Section II(D) of this permit and shall be submitted to the department within 30 days of the receipt of analysis. Upon request by the permittee, the department will review the results of the tests and determine if the sampling frequency may be reduced. The department may increase the testing frequency with any significant change in the design or operation of the landfill.
- D. Test procedures for analysis of pollutants shall conform to methods cited in 18 AAC 70.020(c), or as such regulations may be amended using EPA methods for the following listed elements at the following corresponding reporting concentrations and/or units:

Parameter

Estimated Flow (cfs or gpm)
Visual Observation (odor, texture, growth, etc.)
pH
Conductivity (mS/cm)
Temperature (degrees F)
Color (Cobalt Units)
Dissolved Oxygen (mg/l)
Turbidity (NTU)
Hardness (mg/l)
COD (mg/l)
TSS (mg/l)

Parameter

Reporting Limits

Dissolved Metals (filtered samples)

Cadmium	< 9.3 ug/l
Chromium (hex)	< 50.0 ug/l
Copper	< 2.9 ug/l
Lead	< 5.6 ug/l
Mercury	<0.025 ug/l

Parameter

Reporting Limits

Total Recoverable Metals (unfiltered samples)

Arsenic	< 36 ug/l
Nickel	< 7.1 ug/l
Selenium	< 54 ug/l
Zinc	< 58 ug/l

The permittee may substitute alternative methods of monitoring or analyses only upon receipt of prior written approval from the department

E. Submit with the results of analysis:

1. Record national weather service weather information for the day samples were taken and two days before,
2. Date and time samples were taken,
3. Identify each sample station or well on a map, and,
4. Measure the depth from the surface to standing water and depth to the bottom of the well of monitoring wells

- F. If a change in water quality is detected based on the criteria established in the monitoring plan the permittee shall:
1. Determine the extent of contamination;
 2. Determine if migration of waste or leachate from the facility is the cause of the change in water quality;
 3. Estimate the potential for a violation of the water quality standards;
 4. Take corrective actions to prevent a violation of the water quality standards;
and
 5. Notify the department within seven days after detecting a violation of the applicable water quality standards.

IV. POST-CLOSURE CARE MONITORING

- A. The permittee shall perform visual monitoring once per year for at least 5 years after the completion of closure. Visual monitoring should monitor for settlement, ponding, erosion, adequacy of cover, cover grades, run-on diversion, run-off control and water quality in the off-site receiving environment. At the end of the period the owner or operator shall submit a report to the department that describes site conditions and summarizes the information collected during post-closure.

V. RECORD KEEPING REQUIREMENTS

- A. The permittee shall maintain a copy of the records listed in the permit application dated April 4, 2000. The records shall be kept for a period of at least 5 years following the end of the post-closure care period. The records shall be made available to Department staff for review during facility inspections.
- B. Monitoring Records. The permittee shall maintain a record of all visual, chemical and physical monitoring, inspections and any corrective actions taken, and make those records available to the department upon request.

APPENDIX D: GENERAL PERMIT CONDITIONS

I. ACCESS AND INSPECTION

The permittee shall allow the Commissioner or his/her representative access to the permitted facilities at reasonable times to conduct scheduled or unscheduled inspections or tests to determine compliance with this permit, State laws, and regulations.

II. INFORMATION ACCESS

Except for information relating to trade secrets, submitted under a claim of confidentiality, and for which the Department has determined in writing that protection from disclosure is appropriate, all records and reports submitted in accordance with the terms of this permit shall be available for public inspection at the State of Alaska Department of Environmental Conservation, Fairbanks Office, 610 University Avenue, Fairbanks, Alaska 99709-3643.

III. CIVIL AND CRIMINAL LIABILITY

Nothing in this permit shall relieve the permittee from civil or criminal penalties for noncompliance, whether or not such noncompliance is due to factors beyond his control, including, but not limited to, accidents, equipment breakdowns, or labor disputes.

IV. AVAILABILITY

The permittee shall post or maintain a copy of this permit available to the public at the disposal facility.

V. ADVERSE IMPACT

The permittee shall take all necessary means to minimize any adverse impacts to the receiving waters or lands resulting from noncompliance with any limitation specified in this permit, including any additional monitoring needed to determine the nature and impact of the noncomplying activity. The permittee shall cleanup and restore all areas adversely impacted by the noncompliance.

VI. CULTURAL OR PALEONTOLOGICAL RESOURCES

Should cultural or paleontological resources be discovered as a result of this activity, work which would disturb such resources is to be stopped, and the State Historic Preservation Office, Division of Parks and Outdoor Recreation, Department of Natural Resources, is to be notified immediately (907-269-8721).

VII. APPLICATIONS FOR RENEWAL

Applications for renewal or amendment of this permit must be made no later than 30 days before the expiration date of the permit or the planned effective date of the amendment.

VIII. OTHER LEGAL OBLIGATIONS

The requirements, duties, and obligations set forth in this permit are in addition to any requirements, duties, or obligations contained in any permit that the Alaska Department of Environmental Conservation or the U.S. Environmental Protection Agency has issued or may issue to the permittee. This permit does not relieve the permittee from the duty to obtain any and all necessary permits and to comply with the requirements contained in any such permit or with applicable state and federal laws and regulations. All activities conducted by the permittee pursuant to the terms of this permit and all plans implemented by the permittee pursuant to the terms of this permit shall comply with all applicable state and federal laws and regulations.

IX. POLLUTION PREVENTION

In order to prevent and minimize present and future pollution, when making management decisions that affect waste generation, the permittee shall consider the following order of priority options: waste source reduction; recycling of waste; waste treatment; and waste disposal.